

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BANK OF AMERICA, N.A.,

Plaintiff(s),

v.

FIDELITY NATIONAL TITLE GROUP,
INC., et al.,

Defendant(s).

Case No. 2:21-CV-349 JCM (DJA)

ORDER

Presently before the court is plaintiff Bank of America, N.A., as Successor by Merger to BAC Home Loans Servicing, LP's ("BANA") motion to remand (ECF No. 6) and motion for attorney's fees (ECF No. 7), each filed on March 31, 2021.

On April 26, 2021, the court granted the parties' stipulation to stay the case pending the outcome of the relevant appeal in *Wells Fargo Bank, N.A. v. Fidelity National Title Ins. Co.*, Ninth Cir. Case No. 19-17332 (District Court Case No. 3:19-cv-00241-MMD-WGC). (ECF No. 12). The mandate in *Wells Fargo* was issued on November 29, 2021. However, the parties have yet to move the court to lift the stay.

Despite the parties stipulating to propose a new briefing schedule for the pending motions "within 30 days of when the stay is lifted," (*Id.* at 3), and despite the court's previous order requiring the parties to move to lift the stay before proceeding further with the case, (ECF No. 20), the parties continue to make filings before the court. It is well established that district courts have inherent power to control their own dockets. *Ready Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d 402, 404 (9th Cir. 2010).

...

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiff BANA's motion to remand (ECF No. 6) and motion for attorney's fees (ECF No. 7), be, and the same hereby are, DENIED without prejudice, with leave to refile them after the stay has been lifted.

DATED March 11, 2022.

James C. Mahan
UNITED STATES DISTRICT JUDGE